

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN THE MATTER OF THE
CRIMINAL COMPLAINT OF:**

CASE NO. 2:24-mj-364

PEDRO MARTINEZ-ROJAS

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer, Andrew H. Wend, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE). I have been employed with ICE since 2015. Prior to that, I was employed as a Border Patrol Agent with the United States Border Patrol, successfully completing the Border Patrol Academy course at the Federal Law Enforcement Training Center (FLETC) at Artesia, New Mexico in 2009. I am currently assigned to the Westerville, Ohio office of the Detroit Field Office. I have a combined fifteen years of training and experience in the enforcement of immigration and naturalization laws of the United States. As a part of my duties, I identify, locate, apprehend, and remove aliens who are in violation of the Immigration and Nationality Act. I have investigated both criminal and administrative matters involving Titles 8 and 18 of the United States Code, including illegal reentry into the United States, false claim to United States citizenship, and the fraudulent production, possession, and use of identity documents.
2. During the course of investigating Pedro MARTINEZ-ROJAS, I have learned the following facts:
3. On or about May 26, 2011, ICE ERO officers in Columbus, Ohio encountered MARTINEZ-ROJAS in Franklin County, Ohio. At that time, MARTINEZ-ROJAS was charged administratively as an inadmissible alien as described in Section 212(a)(6)(A)(i) of the Immigration and Nationality Act and issued Alien Registration Number 201 232 898.
4. On or about June 10, 2011, MARTINEZ-ROJAS, a citizen of Mexico, was ordered removed by an Immigration Judge in Cleveland, Ohio. MARTINEZ-ROJAS was physically removed on or about June 14, 2011, at the Laredo, Texas Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint

and photo for the immigration for I-205 (Warrant of Removal/Deportation) of which he signed. MARTINEZ-ROJAS' departure was witnessed and signed by an Immigration Officer.

5. On or about September 7, 2011, US Border Patrol Agents encountered MARTINEZ-ROJAS at or near Progreso, Texas. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. On or about September 8, 2011, MARTINEZ-ROJAS was physically removed from the United States to Mexico via Hidalgo, Texas Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.
6. On or about September 16, 2012, US Border Patrol agents encountered MARTINEZ-ROJAS at or near Cuero, Texas. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. On or about September 18, 2012, MARTINEZ-ROJAS was physically removed from the United States to Mexico via the Calexico, California Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.
7. On or about September 30, 2012, US Border Patrol agents encountered MARTINEZ-ROJAS near Sarita, Texas. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. On or about October 4, 2012, MARTINEZ-ROJAS was physically removed from the United States to Mexico via the Calexico, California Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.
8. On or about November 18, 2013, ICE Enforcement and Removal officers ("ERO") encountered MARTINEZ-ROJAS in Franklin County, Ohio. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. MARTINEZ-ROJAS was also charged in the United States District Court, Southern District of Ohio with Reentry of Removed Aliens, in violation of 8 United States Code §1326(a).
9. On or about April 3, 2014, MARTINEZ-ROJAS was convicted in the United States District Court, Southern District of Ohio of Reentry of Removed Alien, in violation of 8 United States Code § 1326(a). MARTINEZ-ROJAS was sentenced to time served. On or about April 15, 2014, MARTINEZ-ROJAS was physically

removed from the United States to Mexico via the Laredo, Texas Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.

10. On or about May 9, 2019, ICE ERO officers encountered MARTINEZ-ROJAS in Columbus, Ohio. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. MARTINEZ-ROJAS was also charged in the United States District Court, Southern District of Ohio with Reentry of Removed Alien After a Felony Conviction, in violation of 8 United States Code §1326(a)(1) and (b)(1).
11. On or about October 22, 2019, MARTINEZ-ROJAS was convicted in the United States District Court, Southern District of Ohio of Reentry of Removed Aliens After a Felony Conviction, in violation of 8 United States Code § 1326(a)(1) and (b)(1). MARTINEZ-ROJAS was sentenced to 10 months incarceration. On or about March 30, 2020, MARTINEZ-ROJAS was physically removed from the United States to Mexico via the Brownsville, Texas Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.
12. On or about July 7, 2020, US Border Patrol agents encountered MARTINEZ-ROJAS near Sarita, Texas. MARTINEZ-ROJAS was charged administratively for reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act. MARTINEZ-ROJAS was also charged in the United States District Court, Southern District of Texas with Reentry of Removed Alien After a Felony Conviction, in violation of 8 United States Code §1326(a)(1) and (b)(1).
13. On or about January 12, 2021, MARTINEZ-ROJAS was convicted in the United States District Court, Southern District of Texas of Reentry of Removed Alien After a Felony Conviction, in violation of 8 United States Code § 1326(a)(1) and (b)(1). MARTINEZ-ROJAS was sentenced to 10 months incarceration. Upon release from incarceration, MARTINEZ-ROJAS was not removed as MARTINEZ-ROJAS did not meet the Civil Immigration Enforcement and Removal Policies and Priorities dated February 18, 2021, by acting director Tae D. Johnson.
14. On or about April 19, 2022, ICE ERO officers encountered MARTINEZ-ROJAS in Columbus, Ohio. ICE ERO executed his reinstatement of a prior order of removal as described in Section 241(a)(5) of the Immigration and Nationality Act dated July 7, 2020. On or about April 27, 2022, MARTINEZ-ROJAS was physically removed from the United States to Mexico via the Brownsville, Texas

Port of Entry. Prior to removal, MARTINEZ-ROJAS surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. MARTINEZ-ROJAS' removal was witnessed by an Immigration Officer.

15. On July 24, 2024, ICE ERO officers encountered MARTINEZ-ROJAS in Dublin, Ohio. After a verification of fingerprints, ICE determined that MARTINEZ-ROJAS had previously been ordered removed from the United States and is subject to prosecution for illegal reentry. Biometric and records checks confirmed that MARTINEZ-ROJAS has not requested, applied to, or received permission from, the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported, excluded, or removed.
16. Your Affiant uses the above facts to establish probable cause that MARTINEZ-ROJAS, an alien, was found in Columbus, Ohio, after having been removed from the United States on or about the above dates, at or near the above locations, and not having obtained the express consent of the Attorney General to reapply for admission to the United States, in violation of Title 8, United States Code, Sections 1326 (a) & (b)(1).



Andrew H. Wend
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 24th day of July 2024.



Chelsey M. Vascara
United States Magistrate Judge
Southern District of Ohio